

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
- - - - - x

UNITED STATES OF AMERICA : SEALED INDICTMENT

-v-

**12CRIM048**

HORST WALThER OVERDICK-MEJIA, :  
a/k/a "Walter Overdick," :  
a/k/a "El Tigre," :  
Defendant. :

- - - - - x

COUNT ONE

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: JAN 19 2012

The Grand Jury charges:

1. From at least in or about 1999 up to and including in or about 2011, in the Southern District of New York and elsewhere, HORST WALThER OVERDICK-MEJIA, a/k/a "Walter Overdick," a/k/a "El Tigre," the defendant, and others known and unknown, intentionally and knowingly combined, conspired, confederated, and agreed together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that HORST WALThER OVERDICK-MEJIA, a/k/a "Walter Overdick," a/k/a "El Tigre," the defendant, and others known and unknown, would and did distribute a controlled substance, knowing and intending that such substance would be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States, in violation of Sections 812, 959(a), 960(a)(3) and 960(b)(1)(B) of Title 21, United States Code.

JUDGE PATTERSON

3. The controlled substance involved in the offense was mixtures and substances containing at least five kilograms of cocaine, in violation of Sections 812, 959(a), 960(a)(3) and 960(b)(1)(B) of Title 21, United States Code.

(Title 21, United States Code, Section 963.)

COUNT TWO

The Grand Jury further charges:

4. From at least in or about 1999 up to and including in or about 2011, HORST WALTHER OVERDICK-MEJIA, a/k/a "Walter Overdick," a/k/a "El Tigre," the defendant, willfully and knowingly, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the offense charged in Count One of this Indictment, did use and carry a firearm, and in furtherance of such crime, possessed a firearm.

(Title 18, United States Code, Section 924(c)(1)(A)(i).)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance offense alleged in Count One of this Indictment, HORST WALTHER OVERDICK-MEJIA, a/k/a "Walter Overdick," a/k/a "El Tigre," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 970, any and all property constituting and derived from any proceeds that the defendant obtained directly and indirectly as a result of the said violation and any and all property used

and intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment, including but not limited to, a sum of money representing the amount of proceeds obtained as a result of the offense described in Count One of this Indictment.

Substitute Assets Provision

6. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 21,

United States Code, Section 970, to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 21, United States Code, Sections 963 and 970.)

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FOREPERSON

  
Preet Bharara  
PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES OF AMERICA

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HORST WALTER OVERDICK-MEJIA,  
Defendant.

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SEALED INDICTMENT

12 Cr.

(Title 21, United States Code,  
Sections 963 and 924(c).)

PREET BHARARA  
United States Attorney.

A TRUE BILL

  
Foreperson.

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1/2/2012 Filed sealed indictment Arrest Warrant issued.

J. PEEK  
U.S. M.J.